



PATENT
Docket No.: 021111-000800US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Luigi Di Gregorio

Application No.: 10/618,564

Filed: July 10, 2003

For: High Speed Data Access Memory
Arrays

Confirmation No.: 3753

Examiner: Unassigned

Art Unit: 2651

**Petition to Withdraw
Holding of Abandonment**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Counsel for Assignee is in receipt of the Notice of Abandonment dated April 19, 2006. The Notice was issued because no reply was received by the Patent Office in response to a Notice to File Missing Parts dated October 9, 2003, for the above patent application. A review of the file indicates that a complete response was in fact filed with the U.S. Patent Office via facsimile transmission on November 4, 2003. A copy of the complete transmission, including the machine Communication Result Report confirming successful transmission, is attached. Also attached is a statement by Dyan J. Bogorodsky in support of this Petition.

Based upon such evidence, counsel respectfully requests that the Patent Office withdraw the Notice of Abandonment and reinstate the application for further prosecution.

Respectfully submitted,

Robert C. Colwell
Reg. No. 27,431

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (415) 576-0300
RCC:mks
60797020 v1



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Application No.: 10/618,564

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**Statement in Support of Petition
to Withdraw Holding of Abandonment**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

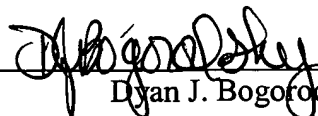
I, DYAN J. BOGORODSKY, hereby state:

On November 4, 2003, I prepared a facsimile transmission which included a response to a Notice to File Missing Parts dated October 9, 2003, for U.S. Application No. 10/618,564. A copy of that document is attached.

I delivered this document to our facsimile machine operator who sent it to the U.S. Patent and Trademark Office. The document was received by the U.S. Patent and Trademark Office as evidenced by the last page of the document showing that nine pages of the document were received.

For these reasons, I believe the response was lost within the U.S. Patent and Trademark Office after being received there.

Dated: 14 June '06


Dyan J. Bogorodsky

**TRANSMITTAL
FORM***(to be used for all correspondence after initial filing)*

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/618,564
		Filing Date	July 10, 2003
		First Named Inventor	Di Gregorio, Luigi
		Art Unit	2651
		Examiner Name	
Total Number of Pages in This Submission	9	Attorney Docket Number	021111-000800US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> PTO/SB/17 Fee Transmittal (1 pg submitted in duplicate) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> PTO/SB/01A declaration (1 pg) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Notice to File Missing Parts of NonProvisional Application (2 pgs)	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> PTO/SB/81 Power of Attorney (1 pg) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> PTO/SB/97 Certificate of Transmission (1 pg) this PTO/SB/21 Transmittal Form (1 pg) PTO/SB/96 Statement under 37 CFR 3.73(b) (1 pg)
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Steven Cahill Reg. No. 44,578
Signature	
Date	November 4, 2003

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 746-4060 on November 4, 2003	
Typed or printed name	DJ Bogorodsky
Signature	
Date	November 4, 2003

FEE TRANSMITTAL**for FY 2004** JUN 19 2006

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.101.

Complete if Known

Application Number 10/618,564

Filing Date July 10, 2003

First Named Inventor Luigi Di Gregorio

Examiner Name

Art Unit 2651

Attorney Docket No. 021111-000800US

TOTAL AMOUNT OF PAYMENT (\$) 477

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$385)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims						
23	-20** =	3	X\$9			\$27
Independent Claims		3	-3** =	0	X\$43	\$0
Multiple Dependent				X		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$27)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	65
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	655	Petition to revive - unintentional	
1501	1,330	2501	655	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$65)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Steven Cahill

Registration No. (Attorney/Agent)

44,578

Telephone

650-326-2400

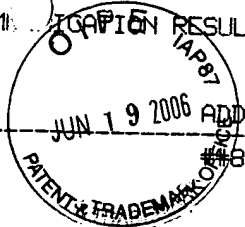
Signature

Date

November 4, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
228 MEMORY TX		#86628#17037464060	OK	P. 9/9



REASON FOR ERROR

E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION

PTO/68/97 (08-00)

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

on November 4, 2003
Date


Signature

DJ Bogorodsky

Typed or printed name of person signing Certificate

In re: application of: Luigi Di Gregorio
Application Number: 10/618,564
Filed: July 10, 2003
Title: High Speed Data Access Memory Arrays
Atty Docket Number: 021111-000800US SJC/djb

Being faxed to the OIPE Response to Missing Parts at facsimile number



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/618,564	07/10/2003	Luigi Di Gregorio	021111-000800US

CONFIRMATION NO. 3753
ABANDONMENT/TERMINATION
LETTER

20350
 TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834

COPY

Date Mailed: 04/19/2006

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/09/2003.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

*A copy of this notice **MUST** be returned with the reply.*

2138

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382

PART 2 - COPY TO BE RETURNED WITH RESPONSE